I have also to point out that Mr. K. V. Rengaswmy Iyengar is making a mistake when he says that I said at the time permission was sought for to introduce the Bill that all schools in the State are not well attended and are deserted by the people. I do not know where he got this information from. Those of you who were here then know that I never made any such statement.

The figures I have quoted to show what amount is now really spent on Elementary Education are challenged. It is on the authority of Dr. Bishop, the Director of Public Instruction, that I rely on these figures. The Government clearly admit the principle of compulsion. Now it is the duty of the Government to find out funds for introducing it. I say people will welcome this measure. I would request you gentlemen therefore to vote for my Bill.

Before taking the sense of the Council, the President made the following remarks: —

In closing the debate, I shall make a few remarks. We have listened to a very interesting and instructive discussion on Mr. Kesava Pillai's Bill. My Official and Non-official colleagues have discussed the Bill with considerable ability and earnestness, and I believe that every thing that could be said both for and against the Bill has been said.

The difficulty in Travancore lies not in inducing parents to send their children to school but in providing accommodation for the boys who seek admission in schools. The most unpleasant task which the officers employed in the Education Department have to perform in the beginning of every school year is to refuse admission to children for want of accommodation in the Educational institutions. Every Departmental school is crowded. The Government are opening additional schools every year. In the current year, the Government have resolved to open one-hundred new Elementary Schools. You have seen from the statistics referred to by the learned Head Sirkar Vakil that the percentage of literates in Travancore is higher than in all other Native States including Baroda and Mysore, where a system of compulsory Elementary Education exists, and British India. The number of schools in a given area is also larger in this State than in other Native States except Cochin where, as Mr. Subba Iyer stated, special conditions prevail. With reference to the amount spent on Education also, Travancore takes the lead. The amount allotted to Education in the current year's Budget is, in round numbers, 18 lakhs which constitute about 12 per cent of the gross revenue. This percentage is higher than the corresponding percentages in Baroda, Mysore and other Native States. About 10 lakhs out of this amount of 18 lakhs is devoted exclusively to Elementary Education. The goal of the Government ought to be and is universal free Primary Education in the State. As you are aware, Primary Education is already free in Travancore. I would earnestly ask my Non-official colleagues to believe that the interests of the Government in the matter of universal free Primary Education cannot be inconsistent with, and are not in any way different from, the interests of the people. I am very glad to note that my Non-official friends in this Council fully recognise this, as is clear from the speeches we have been listening to this morning. The difference between the Government and my Non-official colleagues is only with reference to the routes that lead to the goal already mentioned. The Government realise that it is impossible to enforce compulsory education without fresh taxation. My Non-official colleagues also, I am glad to observe, realise this difficulty, but with the exception of my friend, Mr. Parameswaran Pillai, they dare not face the situation boldly and agree to the imposition of new taxation. Whether the Government should introduce compulsory education by imposing an educational cess, is not a question for consideration before the Council now. It is worthy of note that a special feature of Mr. Gokhale's Education Bill was the imposition of an educational cess and that he emphasised this point in his speech in the Imperial Legislative Council. It is also worthy of note that many of the local bodies in British India which supported Mr. Gokhale, agreed to the levy of this cess. Mr. Kesava Pillai and my other Non-official colleagues in this Council are against an educational cess but would find the requisite funds by what they call a re-adjustment of the State finances. I regret that the Government cannot see eye to eye with my Non-official friends in this matter. The Bill, if passed into law, is bound to remain a dead letter in the Statute Book. In these circumstances, I think it is better that the Council rejects the Bill.

The Bill was then put to the vote, and, as the majority of the Council were against it, the Bill was rejected.

THE SUCCESSION CERTIFICATE BILL.

Mr. Subba Iyer, in introducing the Succession Certificate Bill, said that the absence of a Succession Certificate Regulation had of late been very much felt, as, in the case of a disputed heirship, the parties were referred to a regular suit which entailed heavy expense and delay. He therefore proposed that the principle of the Bill be affirmed and that the Bill be referred to a Select Committee.

Seconded by Mr. Sesha Iyer.

Mr. Parameswara Menon observed that the difficulty experienced owing to the absence of a law like that had been exaggerated, for Certificates of heirship were very rarely produced In his opinion there was ample provision in the Civil Procedure Code which provided that the debtor might in such cases proceed by an interpleader suit and deposit the money in Court. As there would be loss to the parties owing to the payment of a 2 per cent court fee on the subject-matter of the dispute, under Section 12 of the proposed Bill, and as the Courts would still adjudicate the rights of parties only in a summary manner, giving room to fresh litigation. Mr. Parameswara Menon said that, to his mind, no necessity for the new law had been made out.

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The President pointed out that the main object of the Bill was to afford protection to the debtor, but that, as between contending heirs, they were at perfect liberty to go to a Court of law.

Mr. Subba Iyer said that, whereas in the case of an interpleader suit, the debtor had to pay a court fee of 5 per centum on the value of the subject-matter of the dispute, under the proposed Bill, he would have to pay only 2 per cent. As for the 2 per cent itself, the amount was intended to cover the actual expenses and, if that be considered excessive, it might be reduced at the time when the Bill came up before the Council for discussion.

The Council affirmed the principle of the Bill and it was referred to a Select Committee consisting of the Mover, and Messrs. Sesha Iyer, Vieyra, Parameswaran Menon and Raman Pillai, to report within two months.

THE IRRIGATION REGULATION AMENDMENT BILL.

Mr. Subba Iyer then introduced the Irrigation Regulation Amendment Bill and said that the amendments were mainly of a verbal nature. It was thought desirable that the Division Peishkar or any other officer should be authorised to sanction any urgent work without the previous sanction of the Dewan and that the Government should take power under the Regulation to delegate any of the powers conferred on the Dewan to any Division Peishkar or other officer. Mr. Subba Iyer therefore moved that the principle of the Bill be affirmed.

Seconded by Mr. Kumara Pillai.

Carried.

The Bill was then committed to a Select Committee consisting of the Mover and Messrs Kuriyan, Kumara Pillai and Mahadeva Iyer, to report within one month.

THE COMPANIES REGULATION AMENDMENT BILL.

Mr. Subba Iyer next introduced the Companies Regulation Amendment Bill. He said that the Regulation in force was passed so long ago as 1063 and that the provisions thereof were found insufficient to meet the present requirements. He therefore moved that the principle of the Bill be affirmed and that the Bill be referred to a Select Committee.

Seconded by Mr. Pa[illegible] Pillai.

Carried.

The Bill was entrusted to a Select Committee consisting of the Mover, and Messrs Rengaswami Iyengar, Richardson, Sesha Iyer, Vieyra and Parameswaren Pillai, to report within four months.

THE POLICE REGULATION AMENDMENT BILL.

Mr. Subba Iyer moved that the Police Regulation Amendment Bill be finally read and passed.

Seconded by Mr. Mahadeva Iyer.

Carried.

THE MOTOR VEHICLES REGULATION AMENDMENT BILL.

Mr. Subba Iyer moved that the Motor Vehicles Regulation Amendment Bill be finally read and passed.

Seconded by Mr. Subrahmanya Iyer.

Carried.

THE OPIUM BILL.

Mr. Subba Iyer presented the report of the Select Committee on the Opium Bill and moved that the report with the Bill be taken up for consideration.

Seconded by Mr. Subrahmanya Iyer.

Carried.

Section 4.

Mr. Sesha Iyer said that this Section looked at first sight to be inconsistent with Section 5 in that it would appear to permit the cultivation of the poppy under certain Rules to be framed by the Government, while Section 5, which dealt with the power of the Government to frame Rules was silent about the cultivation of the poppy. He therefore moved that Clause (a) of this Section relating to the cultivation of the poppy be omitted. Mr. Sesha Iyer further stated that, if it was the policy of the Government to prohibit the cultivation of the poppy altogether, it might be clearly so stated in the Regulation.

The President thereupon suggested that the following be put in as Section 4 "The cultivation of the poppy is prohibited." He also suggested that the remaining Sections be renumbered and that Clause (a) of the renumbered Section 5 be omitted.

The Council accepted the President's suggestions.

Section 5 renumbered as Section 6.

Mr. Mahadeva Iyer moved that the words "Our Government may" be substituted for the words "Our Dewan may, with Our sanction" in the first line of this Section, so as to make it correspond with the wording in the other Sections.

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